

**THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY  
STATEMENT OF WILLIAM R. DECOTA  
DIRECTOR OF AVIATION**

**SUBCOMMITTEE ON ECONOMIC SECURITY, INFRASTRUCTURE PROTECTION,  
AND CYBERSECURITY  
2128 RAYBURN HOUSE OFFICE BUILDING  
UNITED STATES HOUSE OF REPRESENTATIVES**

**IMPROVING MANAGEMENT OF THE AVIATION SCREENING WORKFORCE**

**JULY 28, 2005**

Chairman Lungren, Congresswoman Sanchez, Congressman Pascrell, and other distinguished Members of the Subcommittee, good morning. I am William DeCota, Director of Aviation for The Port Authority of New York and New Jersey. On behalf of the Port Authority, I would like to thank you for organizing this hearing and giving me the opportunity to testify today and to share with you our thoughts regarding the management of the aviation screening workforce. My comments will be brief and I request that my entire statement be entered into the record.

The Port Authority of New York and New Jersey is a bi-state public authority created in 1921 by our States with the consent of Congress. Its mission on behalf of the States of New York and New Jersey is to identify and meet critical transportation infrastructure needs of the bi-state region and provide access to the rest of the nation and to the world. In my role as Director of Aviation, I run four airports that are critical to the nation's trade, travel, commerce and tourism – a rapidly growing global gateway, John F. Kennedy International (JFK); a major domestic and international hub, Newark Liberty International (EWR); the premier business airport, LaGuardia (LGA); and a vital corporate and general aviation reliever, Teterboro (TEB); as well as an urban helipad, the Downtown Manhattan Heliport (DMH). These facilities can handle aircraft as diverse as a Piper Cub, a Sikorsky S-76, the Boeing 747-400 and soon the Airbus A380. These airports were used by 93.8 million passengers, with over 2.8 million tons of cargo and 1.1 million aircraft movements in 2004. We are serving an unprecedented number of customers this year, with JFK growing by more than 9%, LGA growing by 6% and Newark Liberty growing by 3.5%. By year-end, we expect to serve about 100 million passengers. This activity produces annually an astounding \$62 billion in economic activity and directly and indirectly supports more than 375,000 jobs in the New York/New Jersey metropolitan region.

The Port Authority of New York and New Jersey has entered into a partnership with the Transportation Security Administration (TSA). The Port Authority and TSA are joined together in a common pursuit, exploring new territory and meeting difficult challenges. Like all partnerships, to be successful, the parties need to agree on objectives, share

with each other our concerns and provide mutual support. To cultivate and sustain our good relations with TSA at Newark Liberty as well as our other airports, we hold weekly conference calls, conduct bi-weekly inspections, organize tabletop problem solving exercises, and cross-train TSA and Port Authority staff in an effort to improve communications and cooperation. Of course, to be successful, we need committed backers in Congress and the Administration who provide oversight while remaining flexible and most importantly who are willing to fully support the endeavor financially. As operator of one of the nation's busiest airport systems, it is vital that the aviation screening system be responsive to our increasing passenger and cargo traffic. The aviation screening system needs to be effective, customer-focused, performance-driven, risk-based and be given adequate resources to fulfill its mission.

We recognize that the TSA had a very tough job in quickly establishing its screening operation after September 11, 2001, and the passage of the Aviation and Transportation Security Act (ATSA). With the advent of TSA, aviation screening has become much more focused than that which existed before its establishment. To highlight this point, we are pleased that the existing TSA workforce at Newark Liberty International Airport recently performed exceptionally well on annual tests of checkpoint and bomb-detection machine procedures. More than 97 percent of the 1,234 screeners passed the tests, giving Newark a pass rate that, is among the highest of the nation's 30 largest commercial airports and better than the airport, did last year.

Ideally, we would like to measure aviation screening performance in terms of an objective set of performance measures. We would like a well-defined set of objectives for each component of the screening process for which we would receive regular feedback. For checkpoint screening such measures as contraband intercepted, average wait times, maximum wait times and staff courtesy are some of the basic measures for which airports desire regular feedback.

Screeners are the front line in the battle to protect our nation's airports from terrorism. Air passengers traveling through the high-profile, fast-paced New York/New Jersey region need the confident assurance of the TSA's diligent screening standards, and sufficient numbers of screening personnel to meet the heavy volume of traffic of our terminals. We are concerned that at a time when our passenger traffic is on the rise and surpassing previous levels, recent TSA staffing strategies to address the 45,000 screener cap propose that John F. Kennedy International and Newark Liberty International lose a significant number of screeners. Though LaGuardia Airport may see some modest gain in staffing, under this "redeployment," we are concerned that even these resources may be diverted to address screening needs at Teterboro, our corporate/general aviation airport, and at the Downtown Manhattan Heliport, where regularly scheduled commercial helicopter flights soon will be inaugurated. Also, if proposed Congressional funding for TSA screeners funds less than the 45,000 personnel, or fails to provide for the inflation adjustments in such labor costs, airports that expected to maintain or benefit from an increase in screening staff may in fact find they receive fewer.

We are also concerned that at each of our airports some screening personnel are assigned administrative duties such as timekeeping instead of being properly deployed because there has been insufficient funding for administrative personnel. We must not divert our front-line screening force to other duties and we must ensure that they are thoroughly prepared for the challenges ahead. To ensure that the positive screener performance at Newark documented by the TSA's internal testing will continue at this high standard, we urge the TSA to adopt the training management and supervision recommendations of the GAO's May 2005 follow-up study.

We are monitoring the testing and airport experience under the TSA Screening Partnership Program, also known as the Opt-out program. In view of the significant improvement in passenger screening that is the result of the TSA assumption of these responsibilities after the attacks of 2001, we are reluctant to disrupt the current screening program at our airports at this time. There are two approaches to the private screening option, one where an airport itself becomes the screening contractor, and a second where a private screening company is selected and managed by the TSA. Though some airports may elect to serve as the direct screening contractor, others such as large hubs, may feel that it would be an impractical managerial and administrative burden. With respect to the second approach, some airport operators may see no significant advantage for their airports at this time in an arrangement where the TSA selects and manages a qualified contract screening service to perform the same functions as current TSA screeners, and to the same standards. Also, we are concerned that there may still not be effective and adequate shelter from the legal and political liability for the airport that entered into the opt-out agreement.

Of course, screeners can't do it alone. The TSA also faces enormous physical capacity challenges at airports as passenger traffic grows rapidly. Unfortunately, at some of our older terminal facilities like those at airports across the country, there is often a lack of adequate space for checkpoint and baggage screening. It is difficult and expensive to re-configure existing facilities and sometimes it is just not possible to add security lanes without undertaking an expensive capital construction project that neither the financially ailing airline industry nor we are well-prepared to undertake. We also need to reconfigure bag rooms to provide for the installation of equipment that is currently located in passenger terminal lobbies.

Even more baggage screening equipment is needed for our facilities since equipment needs cannot be determined by a ratio of total equipment to total passengers but must rather address the distribution of passengers across our many terminals at peak periods. In other words, the equipment isn't always where it is needed when it is needed. In-line baggage screening systems offer speed of processing, savings in personnel costs as well as the restoration of terminal lobbies for their original purposes. However, the cost of facility modifications to accommodate in-line screening is beyond our capacity to support.

We need federal funding for these passenger and baggage screening modifications. Heretofore sufficient funding has not been provided to the TSA for Letters-of-Intent

(LOI) for the installation of in-line explosive detection systems. Currently, only 10 of more than 430 commercial service airports have in-line EDS systems. Under the LOI process, the federal government may commit to reimbursing airports for these projects over a three-to-five year period. However, due to a lack of resources, the TSA has only been able to issue LOI's for nine airports. FY 2006 TSA budget provisions only provide enough funding to support the existing obligations to these airports. The prospect for further in-line installations at other airports in the future, including those that we operate, is bleak unless TSA is provided with much greater funding for this purpose.

As we anticipate the need for much more money for in-line screening modifications, we are persuaded that current industry proposals for reimbursement agreements based on future cost savings may be a workable solution to TSA – airport capital funding. The idea is to activate existing legislative authority or structure new authority allowing airports needing an in-line baggage solution to define implementation plan, estimate the cost of implementation, calculate the annual O&M savings anticipated once the system is operational, compare that to a baseline current cost for TSA at our airports, then negotiate that annual savings amount to be dedicated to the airport until a federal contribution equal to 90% of the implementation cost has been received.

As an aside, airport operators such as ourselves that lease many of our terminals to airlines and third parties have found that the Letter-of-Intent (LOI) process has posed many difficulties because the TSA's legal agreements do not readily allow for the pass-through of LOI obligations to the leaseholder for the investment in improvements to their leaseholds, though these improvements are for the public benefit. We continue to work with the TSA to conclude agreements to provide funding for baggage screening work at Newark Liberty's Terminal C.

Funding isn't the solution for every problem. Understanding that it is costly and sometimes impossible to expand our existing facilities to accommodate the ever-increasing number of checked bags that need to be screened, the Port Authority wishes to help pioneer such alternatives as remote baggage check-in. The New York/New Jersey region is unique in having a densely populated urban core with rail access to our two major international gateways. In the coming years, thanks to the leadership of Governor Pataki and Acting Governor Codey, and with the help of Congress, we will have a magnificent new portico to New York City; the stunning Moynihan Station, as terminus for our two airport rail connections, would be an ideal location to offer remote-baggage check-in. We would like to partner with the TSA to take advantage of passengers' desire to surrender their baggage after leaving their hotels, freeing themselves for an afternoon of sightseeing before heading out to the airports for their evening departures. By taking control of this checked baggage earlier in the day, the airport and TSA can alleviate peak-period congestion. This would alleviate added strains on old and overworked baggage handling systems and would permit the TSA to receive some checked baggage earlier than usual, thus permitting a more steady flow and more efficient screening. The TSA will be able to better deploy their resources if checked baggage screening is made more efficient. In order to move forward we seek federal resources to help construct and staff a remote baggage processing facility.

As the number one gateway to the nation, the Port Authority airports often serve as the initial point-of-entry for many international visitors. To ensure the safety and security of the nation, we commend efforts to implement new technologies that use biometrics and automation to efficiently and effectively process international guests. Improved passports with new biometric features are one element of this overall effort. While not the purview of TSA, we compliment the Department of Homeland Security (DHS) on the successful implementation of US-VISIT for arriving passengers. We hope that DHS incorporates the concerns of airports into the design of US-VISIT for departing passengers. Unlike US-VISIT inbound, which was incorporated into an existing process using existing Customs and Border Protection staff, US-VISIT outbound introduces a new process, with a new group of employees, inserted into the departure process after passengers would expect they had completed all the necessary formalities. Many passengers are likely to inadvertently run afoul of the new requirements because the proposed outbound process is not intuitive and is unnecessarily burdensome.

Recognizing that necessity is the motherhood of invention, there are now many technologies that have evolved since the creation of the TSA just four years ago. We strongly support the implementation of the Department of Homeland Security, Office of Inspector General, March 2005 Audit findings that call for the greater deployment of technology. The TSA needs to deploy the latest technology to aid the aviation screening workforce in detecting the threats that face us today. Certainly technological advances in screening equipment may help lead to greater staffing efficiencies and improved detection capability. Just this week, I had the honor of joining the Chairman of our Board of Commissioners, Mr. Anthony Coscia, at Newark Liberty to see a demonstration of TSA's Explosive Trace Detection Portal which is installed at Newark's Terminal A. Five are being installed at Newark and three already have been installed at JFK. We are pleased to have been a test site for explosive trace detection portals for passenger screening. We look forward to the wide incorporation of this equipment at screening points, though processing speed and space limitations may constrain its full utility at this time.

We also are grateful to have been the recipients at Newark Liberty and JFK airports of the pilot test deployment of the new Reveal CT-80 baggage screening equipment. These devices are smaller, though slower, than the CTX 5500 and 9000 equipment now consuming much of the lobby areas of our terminals, and may in some situations provide alternatives to costly modifications to our facilities.

New technology designed for the screening points such as backscatter X-ray which basically sees through persons' clothing and reveals concealed weapons, in the future will give screeners powerful tools in detecting weapons and explosives. We urge the TSA to push forward in resolving the privacy concerns attending this equipment so that it may soon be made available at airports. Other technology such as automated explosives and weapons detection equipment for the passenger screening points should be further developed and deployed, and cutting edge technology aimed at subject stress or duress detection should be explored. Because terrorist capabilities

and techniques will continue to increase and evolve, it is necessary that Research and Development in detection equipment and techniques continue to address the ever-changing threat.

The Port Authority of New York and New Jersey is committed to serving as a DHS/TSA test bed for technology to enhance security at our nation's airports. We have participated in tests of biometric access control, vehicle tracking, video situational awareness, RFID (Radio Frequency Identification Technology) cargo tracking, cargo radiation detection, ASDE-3 radar use for perimeter surveillance, and many more. A number of our fellow airports are also conducting such tests under TSA and DHS auspices as well as at their own initiative. We urge the government's continued investment in pilots of promising technology, and ask the TSA to facilitate the exchange of information among airports about the results and lessons learned from pilot tests.

Some technologies that can have demonstrable benefits to securing our airports are not so new and it confounds us that resources have not been made available. Our experience with costly terminal evacuations due to breaches of security screening points has convinced us that closed circuit television surveillance of the screening points is a necessity. In 2003, the Science and Technology Directorate of the Department of Homeland Security estimated the economic losses associated with terminal evacuations at American airports. They found that such evacuations at LaGuardia Airport alone ranged from \$1.5 million to \$5.95 million per incident. Surprisingly, after the TSA assumed control of the screening checkpoints and made the necessary modifications, the TSA did not install such surveillance. Chairman Coscia discussed this much-needed improvement to the TSA's screening area earlier this year with then Administrator Admiral Stone, and the Port Authority pledged to work with the TSA to accomplish this important goal. To our disappointment, the TSA has provided no specific funding for CCTV installation at the checkpoints. The Port Authority's lease arrangements with its tenant airlines would require that any Port Authority expense for such work be charged back to the airlines. Of course, the financially beleaguered airlines object to an expense that is not mandated by the TSA. While the Port Authority has applied for the use of Airport Improvement Funds (AIP) for this purpose, it must be noted that the use of limited AIP funds for such worthy security projects thereby depletes support for other necessary airport capital projects traditionally funded by AIP, such as airfield improvements.

We concur with the recent statements of the Secretary of the Department of Homeland Security, Michael Chertoff, asserting that our nation's limited security resources must be allocated on a risk-based approach, recognizing that different transportation sectors, and even individual airports face very different kinds and levels of terrorist threats and risks. This committee is also to be commended for highlighting the importance of risk-based decision-making. I can tell you from first-hand experience with our own facilities, that it is a sobering task to assess such threats and weigh these risks, and make the tough decisions about the distribution of resources. Under the leadership of the New York Governor, George Pataki, New Jersey Acting Governor Richard Codey, and Port Authority Chairman Anthony Coscia, and in partnership with the DHS Office of Domestic

Preparedness, our agency has conducted security risk assessments of all of our facilities, and resolved to commit our resources to major capital security enhancement programs. These enhancements go beyond the current required security standards of the TSA, and reflect the best practices of our industry, as well as new technology adapted from research and testing of the Department of Defense and the TSA's own Transportation Security Lab in Atlantic City, New Jersey. We expect that we will assist our colleagues at other airports in leading the way on these improvements. It is a costly endeavor, however. For airport enhancements alone, the Port Authority's Board of Commissioners has authorized \$219 million in capital work to harden our terminals and perimeters, to introduce new surveillance systems, and strengthen our access control systems. We endeavor to work in close partnership with the TSA on improving airport security, serving as test beds for TSA pilot projects, sharing our own research and experience, and developing and implementing new standards.

Earlier this year, Chairman Coscia pledged the Port Authority's commitment in this regard to TSA Administrator Stone, and offered our airports to be the first in the nation to implement the TSA's biometric standards for access control when they are officially promulgated. Similarly, our airports are currently pursuing additional background check procedures for workers in secure areas of our airports. At Newark Liberty, we conduct verification of social security numbers of employees working in these areas. We believe that this is a beneficial augmentation to the current TSA requirements for screening employees, and it should have the support of statutory authority through Congressional legislation and federal regulation.

We applaud federal efforts to evolve to finding dangerous people in addition to dangerous things. This will allow the limited TSA resources to be more clearly focused on those with greater risk potential. Towards this end, programs such as the Registered Traveler Program and Secure Flight should be advanced. The Registered Traveler Program is an opportunity for private sector solutions to improve homeland security and the airline passenger experience with private sector companies paying for new TSA-certified screening equipment and technology to improve security and wait times for all travelers. For the Registered Traveler Program to be truly useful to the public, it must be interoperable across airports and must offer tangible means of speeding their screening. Space limitations in some of our Port Authority terminals do not allow for the addition of extra screening lines that could be dedicated to Registered Travelers without costly construction modifications. So other operational methods for quickly processing these passengers would be needed. Also, we expect that the TSA may soon want to incorporate facial recognition technology into closed circuit television surveillance at checkpoints to potentially match travelers against the terrorist watch and no-fly lists.

I would again like to thank the committee for this valuable opportunity to share our views. We look forward to working with this committee in the future on our shared goal of effective, customer-focused, performance-driven, risk-based security.